



## Afghanistan

### Country Reports on Human Rights Practices - [2001](#)

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Afghanistan has experienced civil war and political instability for 22 years. There was no functioning central government, until December 22, 2001 when the Afghan Interim Administration (AIA) took office. During most of the year, the Taliban, a Pashtun-dominated ultra-conservative Islamic movement, controlled approximately 90 percent of the country, including the capital of Kabul, and all major urban areas, except Faizabad. In 1997 the Taliban issued an edict renaming the country the Islamic Emirate of Afghanistan, and named its leader, Mullah Omar, Head of State and Commander of the Faithful, granting him ultimate authority.

Omar headed the inner Shura (Council), located in the southern city of Kandahar. The Taliban's power structure reportedly narrowed during the year, and its principal consultative bodies, the Shuras, reportedly no longer functioned. Until October 7, a rival regime, the Islamic State of Afghanistan (generally known as the Northern Alliance or United Front), which nominally was headed by former Afghanistan President Burhanuddin Rabbani, an ethnic Tajik, controlled about 10 percent of the country. Rabbani and his chief military commander, Ahmed Shah Masood, for most of the year, controlled the majority Tajik areas in the country's extreme northeast. The Rabbani regime controlled most of the country's embassies and retained Afghanistan's U.N. seat after the U.N. General Assembly again deferred a decision on Afghanistan's credentials. A number of provincial administrations maintained limited functions, but civil institutions were rudimentary. There was no countrywide recognized constitution, rule of law, or independent judiciary. In 1999 the Taliban claimed that it was drafting a constitution based on Islamic law but there were no further announcements regarding a constitution during the year.

Hostilities between the Taliban and the Northern Alliance continued throughout the year. Before October 7, attempts to achieve a peaceful resolution to the conflict continued. The U.N. Secretary General's Personal Representative to Afghanistan, Francesco Vendrell, was engaged in extensive discussions with various Afghan parties and interested nations, but made no progress in ending the conflict. A process to convene a Loya Jirga, or Grand Assembly of traditional leaders, which focused on installing Rome-based former King Zahir Shah, continued to gather support but achieved no resolution.

On October 7, Operation Enduring Freedom (OEF), a U.S.-led coalition, began a military action aimed at toppling the Taliban regime and eliminating the al-Qaida terrorist network in Afghanistan. U.S. forces worked in concert with anti-Taliban forces of the Northern Alliance as well as others in southern Afghanistan. By mid-November the Taliban had been removed from power and had retreated from Kabul to southwestern Afghanistan. Taliban leader Mullah Omar and al-Qaida leader Usama bin Ladin remained fugitives at year's end, and U.S. military operations continued in an effort to capture and detain remaining Taliban and al-Qaida fighters.

On December 5, a U.N.-sponsored Afghan peace conference in Bonn, Germany approved a broad agreement for the establishment of a 6-month interim authority (AIA) to govern the country. The AIA Chairman, Hamid Karzai, and his cabinet took office December 22. During most of the year, the Taliban remained the country's primary military force. Its militia and the religious police, part of the Ministry for the Promotion of Virtue and Suppression of Vice (PVSU), were responsible for internal security in areas under Taliban control. The Taliban and members of other warring Afghan factions committed numerous serious human rights abuses in areas they occupied.

The dislocations associated with more than 20 years of fighting, together with years of severe drought, have reduced the country's economy to a bare subsistence level. A U.N.-sponsored health survey in northern Afghanistan in January found alarming levels of malnutrition, especially among women and children, and officials warned that the situation could worsen dramatically. Most of the population of approximately 25.8

million was engaged in agriculture and animal husbandry. In previous years, opium poppy cultivation was the mainstay of the economy and largely financed the military operations of various factions. In 1999 and 2000, the country was the world's largest opium producer. In 2000 the Taliban banned cultivation of the opium poppy but failed to destroy the existing stockpile, reportedly the world's largest. During the year, the Taliban reportedly announced that poppy cultivation could be resumed. Planting is believed to have begun. The severe drought affected over half of the population and severely affected approximately 5 to 6 million persons. The drought increased internal displacement and caused massive loss of livestock and other means of earning a living. Livestock losses were reported at about 50 percent. The country's grain production fell by about 50 percent in the past 2 years and met less than half of the country's requirements. Crop loss in many areas averaged 75 percent. Additionally, a lack of resources and the prolonged civil war impeded reconstruction of irrigation systems, repair of market roads, and replanting of orchards.

The presence of millions of landmines and unexploded ordnance throughout the country restricted areas available for cultivation and slowed the return of refugees needed to rebuild the economy. Trade consisted mainly of opium, fruits, minerals, gems, and carpets, as well as the smuggling of goods to Pakistan. Both factions printed highly inflated rival currencies. Formal economic activity remained minimal in most of the country, especially rural areas, and was inhibited by recurrent fighting. The country was dependent on international assistance, and large portions of the population required food aid to survive. Per capita income, based on World Bank figures, was about \$280 per year. Only minimal reconstruction continued in Herat, Kandahar, and Ghazni, areas that had been under firm Taliban control for several years. Areas outside of Taliban control suffered from brigandage.

The overall human rights situation remained extremely poor, and the Taliban committed numerous serious and systemic abuses. The reported informal easing of restrictions in 2000 reversed during the year; before November, the Taliban attempted to increase its control by increasing the authority of the PVSV religious police, by increasing restrictions, and by committing a greater number of abuses. Citizens remained unable to change their government or choose their leaders peacefully. The Taliban carried out summary justice in the areas that it controlled, and reportedly was responsible for political and other extrajudicial killings, including targeted killings, summary executions, and deaths in custody. In September alleged foreign agents of al-Qaida killed Northern Alliance commander Ahmed Shah Masood. In November Taliban forces captured and executed opposition leader Abdul Haq and two associates. The Taliban took reprisals against civilian populations, such as the summary executions in January of an estimated 300 men and teenage boys of the Hazara ethnic minority in Bamiyan's Yakawlang district.

There were allegations that Taliban forces were responsible for disappearances. The Taliban imposed strict and oppressive order by means of stiff punishments for crimes in the areas that it controlled. The Taliban's religious police and Islamic courts enforced the Taliban's ultra-conservative interpretation of Islamic law, carrying out punishments such as stoning, flogging, amputations for theft, and public executions for adultery and murder. For lesser infractions, Taliban militiamen often judged accused offenders and meted out punishments, such as beatings, on the spot. Prison conditions were poor. The Taliban arbitrarily arrested and detained persons and infringed on citizens' privacy rights. Taliban military tactics forced tens of thousands of civilians to flee their homes. The Taliban also indiscriminately bombarded civilian areas and harassed, detained, and even killed members of relief organizations. Civil war conditions and the actions of competing factions effectively limited the freedoms of speech, press, assembly, and association. Freedom of religion was restricted severely; conversion from Islam to Christianity or Judaism was punishable by death. In March in Bamiyan the Taliban completely destroyed two giant statutes of the Buddha that dated from pre-Islamic times and called for destruction of images in the collection at the Kabul Museum. Freedom of movement also was limited.

Years of conflict have left more than 1.2 million citizens internally displaced, while more than 3.5 million of the country's population live outside the country as refugees. Continued fighting and related security concerns, as well as the drought, discouraged many refugees from returning to their country, and caused many more to leave. Although all factions harassed domestic and international NGO's, the Taliban in particular increased its activities in this regard during the year. Such harassment forced many NGO's to curtail their activities and, together with the intensified military activity late in the year, forced most international assistance workers to leave the country.

The human rights situation for women was extremely poor for most of the year, with widespread and widely accepted societal discrimination throughout the country. Violence against women remained a serious problem. Women and girls were subjected to rape, kidnaping, and forced marriage. Taliban restrictions against women and girls remained widespread, institutionally sanctioned, and systematic throughout most of the year. The Taliban increased enforcement of strict dress codes and maintained the prohibition against women working outside the home except in strictly limited circumstances in the health care field and in some humanitarian assistance projects. The Taliban appeared to reverse a 2-year trend of relaxing enforcement of restrictions on women and girls and increasingly restricted female education and participation in the labor force. Although girls

were prohibited formally from attending school, some organizations clandestinely operated elementary schools and home schools with girls in attendance. The Taliban detained persons because of their ethnic origins. Worker rights were not defined. Reports from refugees and others indicate there was widespread disregard for and abuse of internationally recognized worker rights. Child labor persisted.

The human rights situation in areas outside of Taliban control also remained extremely poor, and Northern Alliance members reportedly committed numerous, serious abuses. Opposition forces continued sporadic rocket attacks against Kabul and bombarded civilians indiscriminately. In November Northern Alliance forces reportedly killed 100 to 300 Taliban fighters in Mazar-e-Sharif; there were conflicting reports as to whether some of the Taliban forces attempted to surrender before they were shelled. On November 25, Northern Alliance forces reportedly killed at least 120 prisoners in Mazar-e-Sharif, allegedly during the suppression of a riot. Various factions infringed on citizens' privacy rights. Armed units of the Northern Alliance, local commanders, and rogue individuals were responsible for political killing, abduction, kidnaping for ransom, torture, rape, arbitrary detention, and looting.

## RESPECT FOR HUMAN RIGHTS

### Section 1 Respect for the Integrity of the Person, Including Freedom From:

#### a. Arbitrary or Unlawful Deprivation of Life

Taliban forces committed a large number of political and other extrajudicial killings, both within the country and in the refugee community in Pakistan during the year.

In September agents believed to be associated with Usama bin Laden's al-Qaeda organization and working with the Taliban killed Northern Alliance Defense Minister and key military leader Ahmed Shah Masood. The agents disguised themselves as journalists to gain access to Masood and concealed explosives in their camera equipment, which they detonated in Masood's presence. The perpetrators also were killed in the explosion.

On October 25, Taliban forces captured opposition leader Abdul Haq and two associates. The three were accused of spying and attempting to bribe tribesmen. Haq and his two associates were executed the next day. According to Haq's family, he had been travelling unarmed with companions.

In June 2000, Amnesty International reported that over the previous 2 years, more than a dozen prominent citizens advocating an end to the war and establishment of a government representing all ethnic groups had been arrested and killed by the Taliban.

Much of the political and extrajudicial killing in Afghanistan during the year occurred in connection with the renewed conflict between the Taliban and the Northern Alliance that began in mid-summer and intensified late in the year. The conflict was characterized by sporadic, indiscriminate shelling and bombing, as well as mass killings.

There were reliable reports that Taliban forces fighting to recapture Yakawlang in early January were under instructions from the Taliban leadership to kill prisoners as well as civilian males. Reports indicate that the Taliban summarily executed approximately 300 Hazara men and boys. Many were shot by firing squads in public view. Those killed reportedly included aid workers and an Afghan member of a U.N. organization. According to Human Rights Watch, the killings apparently were intended as collective punishment for local residents, whom the Taliban suspected of cooperating with the Northern Alliance, and to deter such cooperation in the future. The Taliban denied responsibility but barred journalists from the area. Some sources reported that foreign Taliban volunteers were responsible for the killings. During the attack on Yakawlang, eyewitnesses reported that both sides violated the neutrality of medical facilities and failed to treat civilians as noncombatants.

Also in January, Taliban forces reportedly executed at least 31 ethnic Uzbek civilians while the Taliban retreated from Takhar province. In October there were credible reports that Taliban troops fired rockets into the middle of a crowded bazaar killing 2 civilians and injuring 16.

There were unconfirmed reports in November that foreign Taliban soldiers killed approximately 400 Afghan Taliban soldiers attempting to defect to the Northern Alliance in the city of Kunduz.

From August 9, 2000, through September 5, 2000, when the Taliban captured it, there was intense fighting

around and in the town of Taloqan. During the offensive to capture Taloqan, Taliban aircraft bombed the city many times. No statistics are available regarding civilian casualties in Taloqan, but 60,000 to 75,000 persons left their homes in Taloqan and other areas in the northern part of the country to flee the fighting. Amnesty International reported that during the fighting in Taloqan, the Taliban bombarded a village, burned all of the houses there, and killed some of the villagers. It was also reported that the Taliban cut the throat of one man in front of his relatives.

In February 2000, indiscriminate bombing by the Taliban in the Panjshir valley killed eight civilians. In mid-June 2000, the Taliban began offensives in the Shomali and Kunduz areas, using aircraft to support ground troops. On July 1, 2000, the Taliban launched large-scale attacks near the towns of Baghram and Charikar, approximately 30 miles north of Kabul. Civilians continued to be the primary victims of the fighting. On July 1-2, 2000, the Taliban conducted air raids on the towns of Charikar and Jabal-as Saraf, reportedly taking civilian lives. In mid-July 2000, there were reports--denied by the Taliban--of summary executions of prisoners by the Taliban forces in the conflict areas. On July 23, 2000, Taliban aircraft bombed several towns and villages in northern Afghanistan, reportedly killing three and wounding seven civilians. On July 30, 2000, the Taliban used heavy artillery and aircraft to bomb the town of Nahreen before capturing it.

When the Taliban recaptured Bamiyan in 1999, there were reports that Taliban forces carried out summary executions upon entering the city. Amnesty International reported that hundreds of men, and in a few instances women and children, were separated from their families, taken away, and killed (see Sections 1.b. and 1.g.). There was no investigation by the Taliban of these widely publicized allegations.

The Taliban also took no action and conducted no investigation into allegations by Amnesty International that dozens of noncombatants were killed systematically by Taliban forces when they captured most of the Shomali valley in late July 1999.

In 1998 the Taliban reportedly executed as many as 189 prisoners it captured during fighting near Mazar-I-Sharif in order to avoid exchanging them with the Northern Alliance. The Taliban denied these allegations; by year's end, there had been no investigation into these alleged killings.

The Taliban employed swift summary trials and implemented strict punishments in accordance with Islamic law. Executions, whippings, and amputations at times took place before crowds of up to 30,000 persons (see Section 1.c.).

Amnesty International has reported that from 1998 to 2000, dozens of Afghan leaders and intellectuals living in Pakistan had received death threats, and several had been killed. Many believe that these political killings occurred at the direction of the Taliban. A number of moderate activists left Pakistan for other countries, partly in reaction to these killings. In June 2000, a hooded gunman shot and wounded Mohammad Enam Wak, an Afghan author, at his home in Peshawar. By year's end, no action had been taken in the case. The shooting may have been in response to a book Wak had published examining the idea of an Afghan federation on the basis of ethnic groups.

Opposition forces also reportedly committed extrajudicial killings during the year, according to press reports. In November Northern Alliance forces killed approximately 100 to 300 Taliban fighters in the city of Mazar-e-Sharif, when it shelled a former girls' school that was being used as a military barracks by the Taliban. There were conflicting reports as to whether some of the Taliban forces had attempted to surrender before the shelling.

On November 25, Northern Alliance forces reportedly killed at least 120 Taliban prisoners in Mazar-e-Sharif, allegedly during the suppression of a riot.

Opposition forces fired rockets into Kabul on a number of occasions. In many of these attacks, civilians were killed or injured. Taliban soldiers reportedly were killed and injured by landmines laid by the Northern Alliance as they advanced in the Shomali plains.

In other areas, combatants sought to kill rival commanders and their sympathizers. The perpetrators of these killings and their motives often were difficult to identify, as political motives often are entwined with family and tribal feuds, battles over the drug trade, and personal vendettas. On December 4, 2000, United Front Commander Abdullah Jan Wahidi reportedly was killed in an ambush. Northern Alliance military leader Ahmed Masood's forces executed the individuals allegedly responsible for the ambush on December 6, 40 hours after their arrest, and denied charges by Amnesty International and the individuals' relatives that the accused had been tortured (see Section 1.c. and 1.e.). The Northern Alliance also claimed that a civilian rather than a military court tried the accused.

On August 5, 2000, seven deminers working for the U.N.-funded Organization for Mine Clearance and Rehabilitation were ambushed, killed, and burned in Badghis Province; one of the deminers may have been alive at the time he was burned. It is not clear who was responsible, but the group that attacked the deminers reportedly was large, well organized, and well armed.

In 1998 the U.N. found several mass graves connected with the massacre of Taliban soldiers near Mazar-i-Sharif in 1997, which contained evidence consistent with mass executions. Independent investigations of these and other killings, including killings by the Taliban, were hindered by the continuing warfare and the unwillingness of local commanders to allow investigators to visit the areas in question. The Taliban leadership had indicated in several of these cases that investigations were underway or that investigations would be permitted. However, according to neutral observers, no real progress was made by the Taliban in facilitating investigations, and mass and other killings from 1997 and 1998 have not been investigated fully.

There has been no investigation into the 1998 killing of Lieutenant Colonel Carmine Calo, an Italian serving with the U.N. Special Mission.

In November during the capture of Kabul by the Northern Alliance, there were unconfirmed reports of civilians killing fleeing Taliban.

An estimated 400,000 Afghans have been killed or wounded by landmines. Casualties caused by landmines and unexploded ordnance are estimated at 10 to 12 per day (see Section 1.g.).

#### b. Disappearance

The strict security enforced by the Taliban in areas under its control had resulted in a decrease in abductions, kidnappings, and hostages taken for ransom. However, there are credible allegations that Taliban forces were responsible for disappearances, abductions, kidnappings, and hostage-takings, and that the Taliban maintained private prisons to settle personal vendettas in areas it controlled. Amnesty International reported that hundreds of persons were separated from their families in the Taloqan area during the Taliban's 2000 summer offensive, and that these persons were taken away and are believed to have been killed (see Section 1.a.). There were unconfirmed reports that some Taliban soldiers (often reported to be foreigners) abducted girls and women from villages in the Taloqan area during fighting from June through October 2000. There also were reports of the abduction of women by the Taliban in August 1999 when the Taliban retook the Shomali plains; women reportedly were taken in trucks from the area of fighting and were trafficked to Pakistan and to the Arab Gulf states. In 1998 there were credible reports that the Taliban detained hundreds of persons, mostly ethnic Hazaras, after the takeover of Mazar-i-Sharif; the whereabouts of many such persons remained unknown at year's end. There were unconfirmed reports that some Taliban soldiers abducted girls and women from Hazara neighborhoods in Mazar-i-Sharif in 1998; the whereabouts of some of these women also were unknown at year's end (see Section 5).

Since 1998 persons who have disappeared include: General Abdul Rahman, General Farooq, Moulvi Shabuddin, Waliullah Dagarwal, General Syed Agha Rayees, Engineer Nabi Shah, and Wolaswal Ismail.

There were credible reports of some instances in which Taliban soldiers arrested individuals, often from minority ethnic groups, to extract ransoms. Abductions, kidnappings, and hostage-taking for ransom or for political reasons also occurred in non-Taliban areas, but specific information regarding such acts was unavailable. According to the U.N., in northern areas women were at risk of being raped and kidnapped. There have been unconfirmed reports that forces on both sides kidnaped young women. Some of the women reportedly then were forced to marry their kidnapers; others remained missing. To avoid this danger, some families reportedly sent their daughters to Pakistan or to Iran (see Section 5).

Groups in Russia listed nearly 300 Soviet soldiers formerly serving in Afghanistan as missing in action or prisoners of war (POW's). Most were thought to be dead or to have assimilated voluntarily into Afghan society, although some are alleged to be held against their will. A number of persons from the former Soviet Union missing since the period of the Soviet occupation are presumed dead.

#### c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The Taliban reportedly tortured opponents and beat some persons detained for political reasons. In July 2000, the U.N. Special Rapporteur on Human Rights in Afghanistan met in Iran with a former governor of Herat, General Ismail Khan, and two of his colleagues. The three stated that they were detained in a Kandahar prison on political grounds for 3 years prior to their escape in March 2000. They were kept in windowless cells and shackled the entire time (see Section 1.d.). The General's colleagues reported that they were tortured by the

prison authorities, and all three reported the torture of other prisoners, including beatings administered with cables to prisoners who were hung upside down by their legs.

During the year, there were credible reports that the Taliban detained and tortured persons who they believed were being helpful to Western journalists. In July 2000, a Western journalist observed his Afghan associate being beaten severely. The associate subsequently was detained and beaten routinely until he was able to escape from prison (see Section 2.a.).

All Afghan factions were believed to have used torture against opponents and POW's, although specific information generally was lacking. Torture did not appear to be a routine practice in all cases. Some of military leader Ahmed Masood's commanders in the north reportedly used torture routinely to extract information from and break the will of prisoners and political opponents. In December 2000, following the ambush of United Front commander Abdullah Jan Wahidi, Masood's forces arrested six persons. According to Amnesty International, at least one of the prisoners reportedly was tortured severely prior to being executed; the family of Hemayatollah Hamed Akhundzada claimed that, at his burial, they saw that his nails had been pulled out and that there were signs of abuse on the rest of his body (see Section 1.a.).

The Taliban ruled strictly in areas that it controlled, establishing ad hoc and rudimentary judicial systems, based on its understanding of Islamic justice. Taliban courts imposed their extreme interpretation of Islamic law and punishments followed swift summary trials. Murderers were subjected to public executions, a punishment that at times was inflicted by the victims' families. Thieves were subjected to public amputations of one hand, one foot, or both. Adulterers were stoned to death or publicly given 100 lashes. For example, in September 2000, a man convicted of adultery was stoned publicly in Maymana in Fariab province. The woman with whom he was convicted of engaging in adultery was sentenced to 100 lashes, but the sentence was postponed because she was pregnant. A second woman, who was convicted of arranging the adultery, was sentenced to 39 lashes. The stipulated punishment for those found guilty of homosexual acts was to have walls toppled on them. Although there were no known instances of such punishment during the year, this punishment was carried out on at least one occasion in 1999, and seven times in 1998 (resulting in five deaths).

There was documentary evidence that Taliban forces, particularly religious police, threatened and beat women for what they considered immodest dress, including failure to wear a full body covering. Religious police also assaulted men for immodest dress, incorrect beard length, and long hair (see Section 2.c.). In one incident in 2000, a visiting Pakistani soccer team playing in Kandahar had their heads forcibly shaved in the middle of a match by Taliban authorities.

Prison conditions were poor. Prisoners held by some factions were not provided food; this generally was the responsibility of prisoners' relatives, who were allowed to visit to provide them with food once or twice a week. Prisoners with no relatives had to petition the local council or rely on other inmates. Prisoners lived in overcrowded, unsanitary conditions in collective cells.

There have been credible reports that torture occurred in prisons under the control of both the Taliban and the Northern Alliance. Local authorities maintained prisons in territories under their control and reportedly established torture cells in some of them. The Taliban operated prisons in Kandahar, Herat, Kabul, Jalalabad, Mazar-i-Sharif, Pul-i-Khumri, Shibarghan, Qala-e-Zaini, and Maimana. The Northern Alliance maintained prisons in Panjshir and Faizabad. According to one credible report, prison authorities in Badakhshan Province routinely used rubber and plastic bound cables in beatings. According to Amnesty International, there were reports that the Taliban forced prisoners to build a new story for the Kandahar prison building, and that some Taliban prisoners held by Masood's forces were forced to work in life-threatening conditions, such as digging trenches in mined areas.

The International Committee of the Red Cross (ICRC) continued to visit detainees throughout the year; however, intensified fighting and poor security for foreign personnel limited the ability of the ICRC to monitor prison conditions. There were reports that an Afghan human rights organization visited a Taliban prison in Mazar-i-Sharif in February 1999.

#### d. Arbitrary Arrest, Detention, or Exile

In the absence of formal legal and law enforcement institutions, justice was not administered according to formal legal codes, and persons were subject to arbitrary detention. There are credible reports that both Taliban and Northern Alliance militia extorted bribes from civilians in return for their release from prison or to avoid arrest. Judicial and police procedures varied from locality to locality. Little is known about the procedures for taking persons into custody and bringing them to justice. In both Taliban and non-Taliban areas, the practices varied depending on the locality, the local commanders, and other authorities. Some areas have a more formal judicial structure than others.

The Taliban reportedly detained approximately 60 civilians when it reoccupied Bamiyan's Yakawlang district in June; their whereabouts remained unknown at year's end (see Section 1.g.).

In August the Taliban jailed eight foreign workers associated with Shelter Now International, a German NGO, on charges of proselytizing. They also arrested 48 Afghan employees of the organization on unspecified charges, reportedly including apostasy, which is a capital crime. The foreign volunteers initially were denied consular access and not permitted to see their relatives or consult with an attorney. In addition, they were not informed of the specific charges against them or of the legal procedures under which they would be tried. On November 15, following the fall of Kabul, the eight workers were freed by opposing forces (see Sections 1.e. and 2.c.).

In November the Taliban detained 25 followers of tribal leader Hamid Karzai following an attack on Karzai's camp in Uruzgan province (see Section 1.a.). The status of those detained was unknown at year's end.

Taliban arrests and detentions of journalists increased during the intensified military conflict late in the year (see Section 2.a.). The Taliban also harassed and detained NGO workers throughout the year (see Sections 1.g., 2.b., and 4).

On July 9, 2000, the Taliban's PVSJ jailed for several days a foreign aid worker who had lived and worked in Afghanistan for several years, as well as a number of her Afghan associates. The aid worker and her associates promoted home-based work for women and home schools for girls. She was expelled from the country shortly after her release on July 12, 2000. She returned to Kabul in late September 2000, but again was ordered to leave the country; she departed on October 6, 2000. No reason was given by the Taliban for her arrest and deportation.

In July 2000 in Kabul, the Taliban arrested 40 members of a local group advocating a peaceful settlement of the conflict on charges of attempting to destabilize the country. There were reports that another member of this group was arrested by Pakistani authorities in Peshawar, Pakistan. No further information was available at year's end.

Amnesty International reported that the Taliban had taken children hostage in an effort to compel their fathers to surrender; the fathers of such children generally were reported to be political opponents of the Taliban. The families of these children have been told that the children would be released when their fathers surrendered to the Taliban.

A Dr. Ayub, a respected physician who headed the Shuhada Hospital in Jaghoray, was taken into custody during the Bamiyan military action in 1999 and remained in Taliban custody without charges. There was no information available on his status at year's end.

The U.N. Special Rapporteur on Human Rights in Afghanistan met in July 2000 in Iran with a former governor of Herat, General Ismail Khan, and two of his colleagues. The three claimed that they were detained in a Kandahar prison on political grounds for three years prior to their escape on March 26, 2000. They were kept in windowless cells and shackled for the entire time. The General's colleagues reported their own torture by the prison authorities, and all three reported the torture of other prisoners, including being hung upside down by the legs while being beaten with cables (see Section 1.c.).

A number of persons arrested by the Taliban in 1998 for political reasons were believed still to be in detention until the fall of the Taliban late in the year. The status of such detainees was uncertain at year's end.

All factions most likely held political detainees, but no firm numbers are available. Both the Taliban and the Northern Alliance held thousands of combatants. The Northern Alliance reportedly held a number of Pakistanis and other third country nationals, along with several hundred Taliban soldiers, as POW's. In June 2000, the Taliban and the Northern Alliance sent delegations to inspect each other's prisoners in advance of an exchange of prisoners; however, the prisoner exchange initiative ended when fighting resumed in the summer of 2000.

There was no information available regarding forced exile.

#### e. Denial of Fair Public Trial

With no functioning nationwide judicial system, many municipal and provincial authorities relied on some interpretation of Islamic law and traditional tribal codes of justice. The Bonn Agreement called for the

establishment of a Judicial Commission to rebuild the domestic justice system in accordance with Islamic principles, international standards, the rule of law, and Afghan legal traditions. However, by year's end, the Commission members had not been announced and there was no independent judiciary.

The Taliban used Islamic courts in areas under their control to judge criminal cases and resolve disputes. According to the U.N., the Taliban asserted that there was a lower court and a higher court in every province, and a Supreme Court in Kabul. According to press reports, in 1999 Mullah Omar promulgated a decree ordering the Supreme Court and military courts not to interfere with one another. The courts reportedly dealt with all complaints, relying on the Taliban's extreme interpretation of Islamic law and punishments, as well as on traditional tribal customs (see Section 1.c.). Punishments handed down by the courts included execution and amputation. In cases involving murder and rape, convicted prisoners generally were ordered executed, although relatives of the victim could instead choose to accept other restitution or could enforce the verdict themselves. Decisions of the courts were reportedly final. The courts reportedly heard cases in sessions that lasted only a few minutes. According to Amnesty International, some judges in these courts were untrained in law and at times based their judgments on a combination of their personal understanding of Islamic law and a tribal code of honor prevalent in Pashtun areas.

Defendants did not have the right to an attorney, although they were permitted attorneys in some instances.

In August eight foreign aid workers were arrested on charges of promoting Christianity. Their trial began, but immediately was adjourned. The U.N. warned the Taliban that it was violating international norms by refusing to let the detained foreign aid workers consult with representatives of their governments or lawyers. The aid workers eventually were freed by opposition forces on November 15 (see Sections 1.d and 2.c.).

Little is known about the administration of justice in the areas that were controlled by the Northern Alliance. The administration and implementation of justice varied from area to area and depended on the inclinations of local commanders or other authorities, who summarily executed, tortured, and meted out punishments, including executions, without reference to any other authority. Following the ambush of a Northern Alliance commander in December 2000, six prisoners were arrested and executed within 40 hours of their arrest. Spokespersons for military leader Ahmed Masood claimed that the prisoners were tried before a civilian court before they were executed; however, it provided no information regarding the nature of their trial (see Sections 1.a. and 1.c.).

All factions most likely held political prisoners, but there were no reliable estimates of the numbers involved.

#### f. Arbitrary Interference With Privacy, Family, Home, or Correspondence

Continued fighting often resulted in the homes and businesses of civilians being invaded and looted by forces on all sides. Some armed gunmen reportedly acted with impunity, due to the absence of a responsive police force or legal protection for victims. It was unclear what authority controlled the actions of the Taliban militiamen who patrolled the streets of cities and towns. A number of incidents were reported in which Taliban soldiers, persons masquerading as Taliban, or foreign volunteers fighting alongside the Taliban, entered private homes without prior notification or informed consent. In Kabul soldiers allegedly searched homes for evidence of cooperation with the former authorities or for violations of Taliban decrees, including the ban on the possession of depictions of living things, including photographs, stuffed animals, and dolls. At various times, the Taliban also banned certain traditional recreational activities, such as flying kites and playing chess (see Sections 2.c. and 5).

Members of the PVSF, the Taliban's religious police, arrested or assaulted individuals on the streets for infractions of Taliban rules concerning dress, hair length, and facial hair, as well as for the violation of the prohibition on women being in the company of men who were unrelated to them. The Taliban required women to wear a burqa, a tent-like outer garment that covers a woman from head to toe, when in public (see Sections 2.c. and 5). Men were required to wear their beards a certain length or longer, not to trim their beards, and to wear head coverings. Men whose beards did not conform to the guidelines on beard length set out by the Taliban were subject to imprisonment for 10 days and mandatory Islamic instruction (see Section 2.c.). According to Amnesty International, Taliban members took children hostage in an effort to compel their fathers to surrender (see Section 1.d.). The Taliban reportedly also required parents to give their children "Islamic" names. Many of these restrictions were eased by year's end following the removal of the Taliban and the establishment of the AIA on December 22. On July 12, the Taliban banned use of the Internet, although it was unclear whether the ban applied to humanitarian agencies. On July 19, the Taliban banned the import of 30 items it claimed were "un-Islamic," including musical instruments, cassettes, and computer discs. In 1998 the Taliban had banned televisions, satellite dishes, videocassette recorders, and video and audio cassettes. Nonetheless, televisions reportedly were sold widely (see Section 2.a.).



There were also reports that the Taliban forcibly conscripted or attempted forcibly to conscript persons, and that in several instances such attempts were resisted. Resistance to forced conscription resulted in an increased Taliban dependence on foreign volunteers. There were reports that some prisoners of the Taliban, including the sons of families that had opposed Taliban social restrictions, were drafted forcibly and sent to the front. The Taliban reportedly followed a longstanding practice of forcibly expelling ethnic Hazara and Tajiks from areas controlled by the Taliban, and otherwise harassing these minorities (see Sections 2.c. and 5). In October 2000, the Northern Alliance alleged that the Taliban forced the residents of Humber Koh and Hazrab villages near Taloqan to leave their homes before burning the dwellings.

g. Use of Excessive Force and Violations of Humanitarian Law in Internal Conflicts

The Taliban posed serious obstacles to the efforts of international aid organizations to deliver food aid and other humanitarian assistance. U.N.-led negotiations to obtain Taliban permission for delivery of food and nonfood aid across the front lines into the Panjshir Valley and the Dara-i-Suf area remained at an impasse during the period that the Taliban controlled these areas. The Taliban imposed severe restrictions on international assistance activities, severely hampering personnel and limiting their effectiveness. It also restricted the ability of women to take advantage of the limited aid available by restricting their movement, and at times banned or limited deliveries into areas inhabited by non-Pashtun groups. Such restrictions and actions against humanitarian organizations by the Taliban increased during the intensified fighting late in the year. After the fall of the Taliban, looting by armed groups and individuals, general insecurity, and harsh weather conditions at times hampered humanitarian assistance efforts.

In October Taliban soldiers seized food warehouses of the U.N. World Food Program (WFP) in Kabul and Kandahar, seizing approximately 7,000 tons of food. According to a WFP spokesperson, the WFP regained control of the warehouse shortly following the takeover (see Section 2.b.). In October Medecins sans Frontieres closed its medical relief programs in two Afghan cities after armed gangs looted them of medicine, equipment, and vehicles.

On October 16, Taliban members reportedly intermittently looted the offices of the Swedish Committee for Afghanistan over a period of 2 days in five separate Afghan cities--Mazar-e-Sharif, Pul-e-Khumri, Kunduz, Taloqan, and Ghazni. According to the organization's director, Afghan staff of the committee were beaten and forced to flee, fuel reserves were set on fire, and nearly half of the committee's 80 vehicles, as well as computers, printers, photocopying machines, telephones, and furniture, were removed.

According to Human Rights Watch, on October 7 armed Taliban soldiers entered the compound of a demining NGO in Kabul. The soldiers beat staff members and broke some of the locks on vehicles. There also were credible reports that in Kandahar at least 15 to 20 vehicles also were confiscated, mostly from the U.N. Mine Action Program. On October 8, armed Taliban forces entered the compound of the U.N. Coordinator for Humanitarian Affairs (UNCHA) in Mazar-i-Sharif and looted communications equipment. The forces destroyed the windows of nine U.N. vehicles on the compound. On October 8, armed Taliban soldiers entered the compound of a demining NGO in Kandahar and demanded vehicles. Staff who resisted were beaten and ordered to leave the compound. The soldiers left with seven ambulances, seven pick-up trucks, and six cargo trucks. Another demining organization working in Kandahar reported to Human Rights Watch that Taliban forces confiscated 1 vehicle on September 26, 3 ambulances on October 3, 9 pick-up trucks on October 11, and 22 additional vehicles on October 15. The forces also looted the office of the organization, taking spare parts, generators, radios, and the personal property of organization personnel. Soldiers reportedly beat staff members who resisted. None of the vehicles had been returned by year's end. On October 15, armed men entered the Mazar-i-Sharif offices of a demining organization. Officials of the agency reported to Human Rights Watch that the men beat the organization's guards and looted the office. On October 15, armed men entered the compound of the International Organization for Migration (IOM), beat two guards, and looted the office. The same men reportedly returned on October 16 and removed three vehicles from the compound.

Various other forces also reportedly harassed or otherwise interfered with the operation of humanitarian relief organizations. On October 13, a group of approximately 20 armed men entered the Kandahar offices of the Islamic Relief Organization, demanding vehicles at gunpoint. Taliban security forces intervened, and a clash ensued. One vehicle was taken from the compound by the unidentified armed men. On November 9, Northern Alliance forces reportedly seized a 10-truck, 200-metric-ton UNICEF supply convoy, which was carrying 300 water pumps and 150 family tents with heaters. There were reports in 1999 that some individual Northern Alliance commanders in the northeast were "taxing" humanitarian assistance entering Afghanistan from Tajikistan, harassing NGO workers, obstructing aid convoys, and otherwise hindering the movement of humanitarian aid (see Section 4).

By year's end, the international community was working closely with AIA officials in the delivery of humanitarian assistance. The Taliban's rapid fall from power averted a much-feared large-scale humanitarian disaster. The primary limitations for the delivery of assistance by the end of the year were logistical and

centered on the difficulties in moving relief goods overland to Afghanistan's geographically remote areas.

According to refugees who fled Kabul, Taliban forces took cover among the civilian population and hid their military equipment in mosques and schools to avoid U.S. air strikes.

In November following the capture of Kabul by the Northern Alliance, there were credible reports that as Taliban members fled the city, they ransacked offices, stole vehicles, looted the museum, and stole an estimated \$1.5 million in the currency exchange district.

During most of the year, continued internal conflict resulted in many instances of the use of excessive force. The Taliban frequently bombed cities held by the Northern Alliance resulting in the deaths of civilians, property damage, and the displacement of residents. The Taliban reoccupied Bamiyan's Yakawlang district in June and, according to Human Rights Watch, destroyed public, residential, and commercial buildings and detained approximately 60 civilians, whose whereabouts remained unknown at year's end. As many as 50,000 residents were displaced. The Taliban units involved in the action reportedly included a large number of foreign volunteers, who were responsible for a disproportionate percentage of abuses committed by Taliban forces.

The conflict leading up to the fall of Taloqan in September 2000 displaced 60,000 to 75,000 persons, but many families quickly returned once it became clear that the Taliban was not following its scorched earth policy of previous years.

During the May 1999 recapture of Bamiyan by the Taliban, there were reports of systematic killings and summary executions by Taliban forces, as well as reports of hundreds of persons being taken away in Taliban trucks. Taliban forces reportedly also took hundreds of persons after the capture of Yakawlang the same month. In the late summer of 1999, refugees from the Taliban offensive in the Shomali plain reported summary executions of noncombatants. The number of those killed or detained in fighting by the Taliban in 1999 is unknown. In August 1998, the Taliban captured Mazar-i-Sharif and reportedly massacred as many as 5,000 persons, mostly ethnic Hazara civilians (see Sections 2.c. and 5).

In general independent investigations of alleged killings were hindered by continuing warfare and the unwillingness of local commanders to allow investigators to visit the areas in question (see Section 1.a.). While it was in control, the Taliban denied charges that its forces massacred or committed abuses against civilians and claimed that civilian deaths, if any, resulted from combat.

The Taliban claimed that the Northern Alliance bombed Shekhar Darra and Gol Darra in the summer of 2000, killing an unspecified number of civilians.

Afghanistan is the most heavily mined country in the world, according to U.N. mine-clearing experts. The U.N. estimates that there are 5 to 7 million landmines and over 750,000 pieces of unexploded ordnance throughout the country, planted mainly during the Soviet occupation. However, some NGO's estimate that there may be fewer than 1 million mines. There have been claims that 162 of 356 districts are mine-affected. The most heavily mined areas are the provinces bordering Iran and Pakistan. The landmines and unexploded ordnance caused deaths and injuries, restricted areas available for cultivation, and slowed the return of refugees. In 1999 the NGO Halo Trust estimated that mines covered more than 420 square miles, including over 285 square miles of grazing land, over 100 square miles of agricultural land, almost 25 square miles of roads, approximately 7.5 square miles of residential area, and over 2 square miles of irrigation systems and canals. From 1995 to 1997, new mines were believed to have been laid over 90 square miles of land, reportedly mostly by the Northern Alliance in the western provinces of Badghis and Faryab. Additional newly mined areas were reported but not confirmed in 2000 and during the year in the conflict areas north of Kabul. The Northern Alliance reportedly laid these mines in response to the Taliban's summer 2000 offensive. Taliban leader Mullah Omar reportedly banned the use, production, trade, and stockpiling of mines in 1998. Despite the general prohibition on the depiction of living things, the Taliban reportedly once allowed the visual depiction of persons in demining educational materials.

An estimated 400,000 Afghans have been killed or wounded by landmines. Casualties caused by landmines and unexploded ordnance are estimated at 10 to 12 per day. In some parts of the country, including Herat and Kandahar, the presence of landmines causing bodily harm and restricting travel affected almost 90 percent of households. An estimated 96 percent of civilian mine and unexploded ordnance casualties are male. Approximately 53 percent of mine and unexploded ordnance casualties occur in the 18 to 40 age group, while 34 percent of the casualties involve children, according to the U.N. Mine Action Center. Landmines and unexploded ordnance resulted in death in approximately 30 percent of cases and in serious injuries and disability, including amputation and blindness, in approximately 20 percent of cases.

With funding from international donors, the U.N. has organized and trained mine detection and clearance teams, which operate throughout the country. Nearly all areas that have been cleared are in productive use, and approximately 1.5 million refugees and internally displaced persons (IDPs) have returned to areas cleared of mines and unexploded ordnance. Nonetheless, the mines are expected to pose a threat for many years. Clearance rates and safety have increased for clearance teams assisted by dogs. U.N. agencies and NGO's had instituted a number of educational programs and mine awareness campaigns for women and children in various parts of the country. Many were curtailed as a result of Taliban restrictions on women and girls, but have been reinvigorated since the fall of the Taliban.

Continued warfare, as well as prolonged and severe drought, also resulted in massive forced displacement of civilians. Over the course of the year, it is estimated that up to 500,000 Afghans were displaced (300,000 internally displaced persons and 200,000 refugees) due to internal fighting, drought, and the military activities beginning in October (see Section 2.d.).

## Section 2 Respect for Civil Liberties, Including:

### a. Freedom of Speech and Press

There were no laws that effectively provide for freedom of speech and of the press, and senior officials of various warring factions attempted to intimidate journalists and influence their reporting. There were fewer than 10 regular publications in the country. All other newspapers were published only sporadically, and for the most part were affiliated with different factions. Various factions maintained their own communications facilities. The Taliban selectively banned the entry of foreign newspapers into their territory. Many foreign books were prohibited. The Taliban radio station, the Voice of Shariat, broadcast religious programming and Taliban pronouncements. As anti-Taliban forces began liberating areas of Afghanistan formerly under Taliban control in November and December, facilities began broadcasting a wider variety of programming, including music programs.

All factions attempted to pressure foreign journalists who reported on the conflict. The Taliban initially cooperated with members of the international press who arrived in Kabul, but later imposed restrictions on them. The Taliban banned all foreign journalists from filming or photographing persons or animals and required them to be accompanied at all times by a Taliban escort to ensure that such restrictions were enforced. Foreign male journalists were not permitted to interview women.

In August 2000, the Taliban introduced additional strict regulations governing the work of foreign journalists in the country. A list of 21 points "to be respected" was provided to foreign journalists upon arrival. The list included an item requiring journalists "not to offend the people's feelings." Journalists were required to inform the Taliban authorities when they traveled outside of Kabul and to stay out of prohibited areas. Journalists could work only with approved interpreters and local assistants, were required to renew their work permits every year, and were required to register all of their professional equipment. The Taliban also required most journalists to stay at the Intercontinental Hotel in Kabul, allegedly for security and economic reasons.

The Taliban had arrested an estimated 34 journalists since it took control of Kabul in September 1996. In March the Taliban authorities expelled a BBC journalist for what it considered biased reporting on the destruction of the statues of the Buddha in Bamiyan (see Section 2.c.).

Taliban arrests of and restrictions against journalists increased during the intensified military conflict late in the year. Beginning in September, the Taliban banned foreign media from areas under their control, and stated that they would not issue visas (see Section 2.d.). In September the Taliban arrested British journalist Yvonne Ridley, along with two Pakistani guides, Gul Muhmand and Jan Ali. Ridley was held for 10 days on charges of spying. She was released on October 8. Muhmand and Ali were released on November 13. On October 9, the Taliban arrested French journalist Michel Peyrard, who illegally had entered the country disguised in a burqa, and a Pakistani reporter, Mukkaram Khan, and a Pakistani guide, Mohammad Irfan. The three were charged with spying. Peyrard was released on November 3, Irfan was released on November 10 and escorted to the Pakistani border, and Khan was released on November 12 and returned to Pakistan. On October 22, the Taliban arrested a Japanese journalist, Daigen Yanagida, in Asadabad. Yanagida was imprisoned until November 16, then released.

After meeting in Pakistan with Canadian diplomats and Pakistani authorities, the Taliban on December 1 released Ken Hechtman, a Canadian journalist, who had been held captive in Spin Boldak by approximately 11 armed Taliban members.

In July 2000, a Western journalist, while being detained, observed his Afghan associate being beaten severely.

The journalist subsequently was expelled from the country, and his associate was detained and beaten routinely until he escaped from prison. In August 2000, the PVSF arrested three foreign journalists, allegedly for photographing a soccer match in Kabul. The journalists were interrogated for 2 hours, after which their film was confiscated. PVSF officials stated that taking pictures of living things was forbidden.

A number of journalists were killed during the intensified fighting late in the year. On November 11, Taliban forces fired on a Northern Alliance military convoy, killing three journalists--Pierre Billaud, Volker Hankloik, and Johannes Sutton--who were riding with the Northern Alliance soldiers in an armored personnel carrier. The convoy was advancing toward Taliban positions near the city of Taloqan.

On November 19 in Mnanagarhar Province, armed men forced four journalists, Harry Burton, Maria Grazia Cutuli, Julio Fuentes, and Azizullah Haidari, out of their convoy of vehicles and executed them.

On November 26, in an apparent attempted robbery, armed gunmen broke into a home in Taloqan in northeast Afghanistan in which Swedish journalists were sleeping. The gunmen killed journalist Ulf Stromberg. The intruders demanded money and stole equipment, including cameras, computers, and a satellite phone.

There have been numerous threats to Afghan journalists working in exile in Pakistan; the United Nations High Commission for Refugees (UNHCR) has assisted approximately 10 Afghan journalists in relocating to Western countries from Pakistan. Many believe that Taliban authorities made these threats in response to critical reporting. For example, in July 2000, Inayat-ul-Haq Yasinin, a journalist in Peshawar, received death threats for publishing the results of an opinion poll on Afghan refugees living in Peshawar.

The Taliban prohibited music, movies, and television on religious grounds. In August 1998, television sets, videocassettes, videocassette recorders, audiocassettes, and satellite dishes were outlawed in order to enforce the prohibition. The ban continued during most of the year, although televisions reportedly were sold widely, and their use generally was ignored unless reported by a neighbor (see Section 2.a.). By year's end after the AIA took office, televisions, radios and other electronic goods were sold freely, and music was played widely.

In July the Taliban banned use of the Internet (see Section 1.f.).

The Taliban severely restricted academic freedom, particularly education for girls (see Section 5).

#### b. Freedom of Peaceful Assembly and Association

War, tenuous security, and likely opposition from local authorities seriously inhibited freedom of assembly and association during most of the year, particularly in areas that were under Taliban control.

In the past, the Taliban has used excessive force against demonstrators, but there were no such reports during the year.

It is unknown whether laws existed that governed the formation of associations. Many domestic NGO's operated in the country, and many international NGO's also operated during most of the year. All factions continued to harass and interfere with the operations of domestic and international NGO's, including aid organizations.

The Taliban interfered consistently with the operations of the U.N. and NGO's. The Taliban reportedly required NGO's to undergo burdensome registration procedures to obtain permission to operate and attempted to exert control over NGO staffing and office locations, especially in Kabul. Other Taliban restrictions on freedom of association included threatening to impound vehicles of NGO's that did not work on projects approved by the Taliban and forcing organizations to employ Taliban supervisors or workers. In September the Taliban occupied the offices of many NGO's throughout the country, including the WFP, restricting communications to foreign headquarters but generally allowing local staff to operate the organizations. Almost all foreign personnel of NGO's in the country had left areas under Taliban control when the U.S.-led coalition military operations began in October, either on their own or after being expelled by the Taliban. Foreign personnel had begun returning to Kabul and other major cities where security conditions permitted their return by year's end.

In May religious police raided an Italian-funded hospital in Kabul, assaulted staff members, and forced the hospital to suspend operations because male and female staff allegedly mixed in the dining rooms and operating wards. The Taliban detained the director of one NGO and impounded all of the NGO's equipment in an effort to increase Taliban control of the organization. In August the Taliban arrested 8 foreign aid workers

and an estimated 48 Afghan employees of the NGO on charges of proselytizing; they were freed by opposing forces on November 15 (see Sections 1.d. and 2.c.).

The Taliban announced in March 1998 that foreign Muslim women, including U.N. workers, would be allowed to perform their jobs only if accompanied by a male relative, a decision that continued to hamper NGO and relief operations during the year. The U.N. withdrew its personnel from southern Afghanistan in late March 1998 to protest the assault on a U.N. worker by the Taliban governor of Kandahar Province and the interference with its work by the Taliban. After reaching agreements with local officials, the U.N. returned to Kandahar in May 1999.

On June 15, 1999, members of the Taliban detained and beat staff members of an international NGO in Bamiyan Province. After the incident, Mullah Omar issued an edict stating that any person causing annoyance to a foreign worker could face punishment of up to 5 years in prison. However, in November 1999, U.N. properties were targeted in organized demonstrations in several cities when U.N. sanctions related to terrorism were imposed on the country. Certain key issues, including the mobility of international female Muslim staff and access by Afghan women and girls to programs, remained unresolved at year's end (see Section 4).

There were reports in 1999 that military leader Ahmed Masood's commanders in the northeast were "taxing" humanitarian assistance entering Afghanistan from Tajikistan, harassing NGO workers, obstructing aid convoys, and otherwise hindering the movement of humanitarian aid. At year's end, NGO's and international organizations continued to report that local commanders were charging them for the relief supplies they were bringing into the country (see Sections 1.g. and 4).

#### c. Freedom of Religion

Freedom of religion was restricted severely. Due to the absence of a constitution and the ongoing civil war, religious freedom is determined primarily by the unofficial, unwritten, and evolving policies of the warring factions. For most of the year in most parts of the country, the Taliban vigorously enforced its extreme interpretation of Islamic law. Sunni Islam of the Hanafi school of jurisprudence traditionally has been the dominant religion, and the Taliban also nominally adhered to the Hanafi school. The Taliban claimed in mid-1999 that it was drafting a new constitution based on the sources of Islamic religious (Shari'a) law (the Koran, the Sunna, and Hanafi jurisprudence.) A Taliban spokesman stated that the new constitution would ensure the rights of all Muslims and of religious minorities; however, a constitution never was adopted. Custom and law required affiliation with some religion, and atheism was considered apostasy and was punishable by death. Licensing and registration of religious groups do not appear to be required by the authorities in any part of the country. The small number of non-Muslim residents remaining in the country may practice their faith but may not proselytize.

The country's official name, according to the Taliban, was the Islamic Emirate of Afghanistan; according to the Northern Alliance, it was the Islamic State of Afghanistan. These names reflected the desire of both factions to promote Islam as the state religion. Taliban leader Mullah Omar carried the title of Commander of the Faithful.

The Taliban ruled strictly in areas that it controlled, establishing ad hoc and rudimentary judicial systems. The Taliban established Islamic courts to judge criminal cases and resolve disputes. Taliban courts imposed their extreme interpretation of Islamic law and punishments following swift summary trials (see Section 1.e.).

The Taliban sought to institute its extreme interpretation of Islamic observance in areas under its control and declared that all Muslims in areas under Taliban control must abide by the Taliban's interpretation of Islamic law. The Taliban announced its proclamations and edicts through broadcasts on the Taliban's Radio Shariat and relied on a religious police force under the control of the PVSF to enforce rules regarding appearance, dress, employment, access to medical care, religious practice, expression, and other behavior. Members of the PVSF, which was raised to the status of a Ministry in May 1998, regularly monitored persons on the street to ensure that individuals were conforming to Taliban edicts. Persons found to be in violation of the edicts were subject to punishment meted out on the spot, including beatings and detention. In practice the rigid policies adopted both by the Taliban and by certain opposition groups had a chilling effect on adherents of other forms of Islam and on other faiths. Enforcement of Taliban social strictures was erratic; Taliban edicts generally were enforced in the cities, especially in Kabul, but enforced less consistently in rural areas, in which more discretion was permitted based on local custom.

Reliable sources estimate that 85 percent of the population are Sunni Muslim and most of the remaining 15 percent are Shi'a. Shi'a, including the predominately Shi'a Hazara ethnic group, are among the most economically disadvantaged persons in the country. The Shi'a minority seeks a national government that would give them equal rights as citizens. There also are small numbers of Ismailis living in the central and northern parts of the country. Ismailis are Shi'a, but consider the Aga Khan their spiritual leader. In the past,

small communities of Hindus, Sikhs, Jews, and Christians lived in the country, but most members of these communities have left. Almost all members of the country's small Hindu and Sikh populations, which once numbered about 50,000 persons, have emigrated or taken refuge abroad.

In March the Taliban, acting on what it claimed to be religious grounds, completely destroyed two giant statues of the Buddha dating from pre-Islamic times, which were carved into the cliffs near Bamiyan. The statues had been damaged in the past, but the Taliban claimed that the damage was unauthorized vandalism committed by a soldier, and that they would protect the statues from further damage. The destruction of the statues received worldwide criticism, including from numerous Islamic authorities. On February 26, Mullah Omar had ordered the destruction of all statues in the country. The Taliban also claimed to have destroyed statues and images in the collections of the Kabul Museum and elsewhere dating from the pre-Islamic period. There reportedly are no practicing Buddhists in the country; however, the Bamiyan statues and the collection of pre-Islamic images, most dating from the classic Gandhara period, are widely considered to be important cultural artifacts and religious symbols.

On May 23, the Taliban decreed that Hindus and Sikhs would be required to wear a piece of yellow cloth attached to their clothing to identify their religious affiliation. The Taliban purportedly imposed this system of identification to spare non-Muslims from the enforcement of rules mandatory for Muslims and from harassment by agents of the PVSV. The requirement later was suspended, and an identity card was to be issued instead. On July 3, the Taliban announced that Hindus would be consulted before ordering them to wear any distinctive mark to differentiate themselves from Muslims.

According to Human Rights Watch, in September 1999, the Taliban issued decrees barring non-Muslims from building places of worship but allowing them to worship at existing holy sites; forbidding non-Muslims from criticizing Muslims; ordering non-Muslims to identify their houses by placing a yellow cloth on their rooftops; banning non-Muslims from living in the same residence as Muslims; and requiring that non-Muslim women wear a yellow dress with a special mark so that Muslims could keep their distance.

In Taliban-controlled areas, the Taliban had decreed that all Muslims were required to take part in five daily prayers. Those who were observed not praying at appointed times or who were late attending prayer were subject to punishment, including severe beatings. Friday noon prayers at mosques reportedly were compulsory for all Muslim men; women and girls reportedly were forbidden to enter mosques and thus were forced to pray at home.

During most of the year, publishing and distribution of literature of any kind, including religious material, was rare.

On January 7, the Taliban issued a decree calling for capital punishment for any Afghan who converted from Islam. Decree 14, which was issued in June and related to foreigners in Afghanistan, stated that those preaching other religions to Afghan Muslims would be deported after being imprisoned for 3 to 10 days. Taliban officials subsequently stated that the initial decree was only a guideline. A small number of foreign Christian groups were allowed in the country to provide humanitarian assistance; however, they were forbidden to proselytize. Conversion from Islam was considered apostasy and was punishable by death. There was no information available regarding converts and no information available concerning restrictions on the training of clergy.

In August the Taliban arrested eight foreign aid workers affiliated with an NGO on charges of proselytizing. An estimated 48 Afghan employees of the NGO also were arrested and reportedly also charged with apostasy. All those arrested reportedly were freed by opposition forces on November 15, following the fall of Kabul (see Sections 1.d. and 1.e.). The Taliban reportedly stated that 59 children who had been taught by the arrested workers were sent to a correctional facility, where they would remain until all Christian influences were removed. In August the Taliban expelled two other religion-based NGO's with longtime presences in the country on unspecified grounds, ordering their foreign personnel to depart the country within 72 hours.

The Taliban reportedly had a long history committing numerous human rights violations against the mostly Shi'a Hazaras, including summary executions, massacres, and mass arrests. There were reliable reports that the Taliban summarily executed approximately 300 Hazara men and boys after recapturing Yakawlang in early January (see Section 1.a.). There were reports of mass arrests by the Taliban in Hazara neighborhoods of Kabul in January 1998. There also were credible reports of the massacre of thousands of civilians and prisoners by the Taliban during and after the capture of Mazar-i-Sharif in August 1998; this massacre reportedly was aimed at ethnic Hazaras. In September 1998, approximately 500 persons were killed when the Taliban took control of the city of Bamiyan. The Hazaras regained control of Bamiyan in April 1999 following prolonged guerrilla-style warfare; however, the Taliban recaptured Bamiyan in May 1999 and reportedly killed a number of Shi'a residents. There were reports during 1999 and 2000 that there were forced expulsions of

ethnic Hazaras and Tajiks from areas controlled or conquered by the Taliban, as well as harassment of these minorities throughout Taliban controlled areas.

The Ismaili community fought for the Northern Alliance against the Taliban and suffered when the Taliban occupied territories once held by Ismaili forces. There were reports of mistreatment of Ismailis at the hands of the Taliban and destruction of some of their cultural monuments.

The Taliban, following its extreme interpretation of Shari'a, required women when in public to wear a head-to-toe garment known as the burqa, which has only a mesh screen for vision. The requirement to wear the burqa represented a significant change in practice. According to a decree announced by the religious police in 1997, women found outside the home who were not covered properly would be punished severely, along with their family elders. In Kabul and elsewhere, women found in public not wearing the burqa, or whose burqas did not cover their ankles, were beaten by Taliban militiamen. According to Taliban regulations, men's beards were required to extend farther than a fist clamped at the base of the chin. Men also were required to wear head coverings and to wear their hair short. A man who had shaved or cut his beard was subject to imprisonment for 10 days and required to undergo Islamic instruction. All students at Kabul University reportedly were required to have beards in order to study there (no female students were allowed). There also were credible reports that Taliban members gave forced haircuts to males in Kabul. In January the Taliban reportedly arrested 28 barbers in Kabul for giving customers a haircut styled after that of actor Leonardo DiCaprio in the film "Titanic." In March religious police reportedly ordered all students across the country to wear turbans in class. Students from grades one to six reportedly were required to wear black turbans and students in higher grades to wear white turbans. Students who did not follow the instructions were turned away from their classrooms. At various times, the Taliban banned certain traditional recreational activities, such as flying kites and playing chess. Dolls, stuffed animals, and photographs were prohibited under the Taliban's interpretation of religious injunctions against representations of living beings; in search of these objects, Taliban soldiers or persons masquerading as Taliban members reportedly entered private homes without prior notification or informed consent. The Taliban reportedly had required parents to give their children Islamic names (see Section 1.f.).

The Taliban continued to prohibit music, movies, and television on religious grounds in Taliban-controlled areas. In 1998 television sets, videocassette recorders, videocassettes, audiocassettes, and satellite dishes were outlawed in order to enforce the prohibition. However, subsequent reports indicated that many persons in urban areas around the country owned such electronic devices despite the ban (see Section 1.f. and 2.a.).

While some Taliban leaders claimed tolerance of religious minorities, the Taliban reportedly imposed some restrictions on Shi'a Muslims in Taliban-controlled territory, although not uniformly. For example, the Taliban allegedly ordered Shi'a to confine their Ashura commemorations during the month of Muharram to their mosques and to avoid the public processions that are an integral part of Ashura in other countries with Shi'a populations.

There are unconfirmed reports that the Taliban occupied and "cleaned" Shi'a mosques for use by Sunnis, including a Shi'a mosque in Mazar-i-Sharif in 1998.

#### d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

Although in principle male citizens have the right to travel freely both inside and outside the country, their ability to travel within the country was hampered by warfare, brigandage, landmines, a road network in a state of disrepair, and limited domestic air service, complicated by factional threats to air traffic. Some Afghans reported difficulty in receiving necessary permits to leave the country for tourism or business purposes, while others reported no such difficulty. The Taliban's restrictions on women further curtailed freedom of movement (see Sections 2.c. and 5). Despite these obstacles, many persons continued to travel relatively freely, with buses using routes in most parts of the country. However, due to intensified fighting, international aid agencies often found that their ability to travel, work, and distribute assistance was hampered severely. International travel continued to be difficult as both the Taliban and the Northern Alliance threatened to shoot down any planes that flew without their permission over areas of the country that they controlled. U.N. Security Council sanctions imposed because of the Taliban's links to international terrorism eliminated landing rights for the Afghan airline Ariana at non-Afghan airports and urged member states to restrict the entry into their territories of senior Taliban officials.

Commercial trade was impeded in certain non-Taliban areas, as local commanders and criminals continued to demonstrate their control over the roads by demanding road tolls and at times closing roads.

Afghans continued to form one of the world's largest refugee populations, and the number of refugees increased as a result of the intensified military actions late in the year. According to the UNHCR, at year's end more than 3.5 million Afghans remained outside the country as registered refugees: Over 2 million in Pakistan;

more than 1.5 million in Iran; and some in Russia, India, and Central Asia. Women and children constituted 75 percent of the refugee population. In addition there were a reported 1.1 million IDP's following years of fighting and drought, even before the events of the latter part of the year. Since October an estimated 300,000 more have left their homes. Many more are believed to be too poor to afford transportation or too weak to move. A total of 4,069,000 Afghan refugees have been repatriated since 1988, with over 1.5 million returning to the country in the peak year of 1992. An estimated 70,000 Afghan refugees returned to their home communities from Pakistan and Iran between November and year's end.

Late in the year, all six countries neighboring Afghanistan (Pakistan, Iran, Tajikistan, Turkmenistan, Uzbekistan, and China) officially closed their borders to refugees, citing both security reasons and an inability to absorb more refugees. According to the UNHCR, during the first 6 months of the year, the Government of Iran deported an estimated 82,000 Afghans, and on July 15, announced that it would deport any Afghan who lacked documentation or who had failed to register. In addition, on September 25, Iranian newspapers reported that 248 Afghans who had fled from Afghanistan because of fears of a U.S.-led military action on the country were arrested and returned to Afghanistan. In 2000 133,600 refugees were repatriated voluntarily from Iran under a UNHCR-Iran program, and another 50,000 are estimated to have returned outside the program. Despite the Government of Pakistan's official closed border policy, Afghans in Pakistan are known to cross and recross the border routinely.

In October the Government of Iran set up two camps for Afghan IDP's who were attempting to flee to Iran from territory that was then controlled by the Taliban. The camps sheltered more than 10,000 refugees at year's end.

According to a November UNHCR report, Northern Alliance forces surrounded a Taliban-occupied camp for displaced persons in southwestern Afghanistan, apparently trapping 6,000 Afghan civilians inside the camp.

There was no available information on policies regarding refugees, asylum, provision of first asylum, or the forced return of refugees.

### Section 3 Respect for Political Rights: The Right of Citizens to Change Their Government

There was no functioning central government in the country. The continuing struggle for political power among the major armed groups prevented citizens from changing their government or choosing their leaders peacefully. Most political changes came about through shifting military fortunes. No faction held elections or respected citizens' right to change their government peacefully.

The Taliban movement's authority had emanated from its leader, Mullah Omar, who carried the title Commander of the Faithful, and from the Taliban's military occupation of most of the country. Governmental functions reportedly were exercised through the key Taliban governing body, the Inner Shura, which was based in Kandahar, as well as by ministries based in Kabul.

Nominal president Burhanuddin Rabbani headed the Northern Alliance. Rabbani's support was based primarily in his Tajik ethnic group, with military support provided by the forces once commanded by the late Ahmed Shah Masood. Rabbani received nominal support from General Rashid Dostam and a faction of the Shi'a Hazara Hezb-i-Wahdat. Another faction of the Hezb-i-Wahdat nominally allied itself with the Taliban early in 1999. Northern Alliance forces controlled the northeastern, largely Tajik, portion of the country, including the strategic Panjshir valley north of Kabul, until the events late in the year.

On October 7, Operation Enduring Freedom (OEF), a U.S.-led coalition, began a military action aimed at toppling the Taliban regime and eliminating the al-Qaida terrorist network in Afghanistan. U.S. forces worked in concert with anti-Taliban forces of the Northern Alliance as well as with others in southern Afghanistan. By mid-November the Taliban had been removed from power, and forces had retreated from Kabul to southwestern Afghanistan. Taliban leader Mullah Omar and al-Qaida leader Usama bin Ladin remained fugitives at year's end, and U.S. military operations continued in an effort to capture and detain remaining Taliban and al-Qaida fighters.

On December 5, Afghan representatives of the Northern Alliance and of groups formerly in exile--the Rome Group, the Cyprus Group, and the Peshawar Group--met in Bonn, Germany under U.N. auspices and signed the Bonn Agreement, a broad framework document for political transition in Afghanistan leading to a permanent government. The Bonn Agreement also outlined the establishment of other provisional institutions and bodies to assist in the formation of a broad-based multi-ethnic and representative government. Finally, the Bonn Agreement proposed an international security force for the country until the Afghan authorities are prepared to assume responsibility and called on the international community to assist in the formation of a



national army and police force. The first provisional governing body for Afghanistan, the AIA, was named in the Bonn Agreement. The AIA was sworn in on December 22 in Kabul, led by Chairman Hamid Karzai, assisted by five Vice-Chairmen and 24 Cabinet members. The 30-member AIA is representative of Afghanistan's diverse geographic and ethnic makeup, and includes expatriates and two women.

Until the Taliban's fall from power, discontent with the Taliban's strictures and its rural southern Pashtun values was strong in Kabul and in non-Pashtun cities in the north. The Taliban's previous military successes did not encourage the group's leaders to engage in meaningful political dialog with opponents.

#### Section 4 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

There are many NGO's, both domestic and international, in the country. Some of these are based in neighboring countries, mostly Pakistan, with branches inside the country; others are based in Afghan cities and rural areas. The focus of their activities is primarily humanitarian assistance, rehabilitation, health, education, and agriculture.

Several domestic human rights NGO's also operated in the country; however, war and lack of security continued to make it difficult for human rights organizations to monitor adequately the situation inside the country. The Afghan League of Human Rights, which operates both in Afghanistan and Pakistan, produced an annual report. The Cooperation Center for Afghanistan (CCA) is an Afghan NGO that operates in both Pakistan and Afghanistan. The CCA maintains an office in Peshawar, where it produces a monthly newsletter on the Afghan human rights situation. It also monitored and documented the human rights situation from several offices in both Taliban-controlled and Northern Alliance-controlled cities. The National Commission on Human Rights in Afghanistan began operations during 1998 in Pakistan, conducting seminars on human rights issues, issuing press statements criticizing specific instances of human rights abuses, and placing articles in Pashtu and Dari newspapers. The Afghanistan Commission for Human Rights, founded in 1997 after discussions with Taliban authorities on Islamic aspects of human rights, also began activities in Pakistan in 1998, focused on the plight of Afghan prisoners in Pakistani prisons and on children's rights.

In 2000 the Taliban issued an edict banning women's employment (except in the health care sector) by U.N. agencies and NGO's (see Section 5).

In March the Taliban granted a visa to the U.N. Special Rapporteur on Human Rights to visit Afghanistan, but restricted her to Kabul. In September 2000 and in January, the Taliban refused to issue her a visa.

During the year, the Taliban continued to pose serious obstacles to the international aid community's efforts to deliver food aid and other humanitarian assistance to citizens (see Section 1.g.).

The Taliban continued to harass domestic and international NGO's, as well as U.N. agencies, and continued to interfere with their operations. Tactics used included detaining NGO members, threatening to impound the vehicles of NGO's that did not work on projects preferred by the Taliban, and threatening to close projects that do not include Taliban supervisors or workers. In August the Taliban arrested 8 foreign aid workers and an estimated 48 Afghan employees of the NGO on charges of proselytizing; they were freed by opposing forces on November 15 (see Sections 1.d., 1.e., and 2.c.). The Taliban detained the director of a local NGO and impounded all of the NGO's equipment in an effort to increase Taliban control of the organization. The Taliban announced in March 1998 that foreign Muslim women, including U.N. workers, would be allowed to perform their jobs only if accompanied by a male relative, a directive that continued to hamper NGO and relief operations during most of the year.

In 1999 staff members of an international NGO were detained and beaten by members of the Taliban in Bamiyan Province. After the incident, Mullah Omar issued an edict stating that any person causing annoyance to a foreign worker could face punishment of up to 5 years in prison. However, in November 1999, U.N. properties were targeted in organized demonstrations in several cities when U.N. sanctions related to terrorism were imposed on the country. Certain key issues, including the mobility of international female Muslim staff and access by Afghan women and girls to programs, remained to be addressed at year's end.

There were reports in 1999 that military leader Ahmed Masood's commanders in the northeast were "taxing" humanitarian assistance entering Afghanistan from Tajikistan, harassing NGO workers, obstructing aid convoys, and otherwise hindering the movement of humanitarian aid. There were similar reports during the year (see Sections 1.g. and 2.b.).

#### Section 5 Discrimination Based on Race, Sex, Religion, Disability, Language, or Social Status

For much of the year, there was no functioning constitution or legal provisions prohibiting or protecting against discrimination based on race, sex, religion, disability, language, or social status. However, the December 5 Bonn Agreement stated that the 1964 Constitution of Afghanistan would apply on an interim basis until the adoption of a new constitution. Those provisions of the 1964 Constitution relating to the monarchy and to the executive and legislative bodies would not apply; however, provisions prohibiting discrimination based on race, sex, and religion would be in effect. Despite the legal primacy of the 1964 Constitution at year's end, local custom and practices generally prevailed. Discrimination against women remained prevalent throughout the country. Its severity varied from area to area, depending on the local leadership's attitude toward education for girls and employment for women and on local attitudes. Historically the minority Shi'a faced discrimination from the majority Sunni population. There was greater acceptance of persons with disabilities as the number of persons maimed by landmines and warfare increased, and as the presence of persons with disabilities became more widespread. In 1998 and 1999, the Taliban on several occasions sought to execute homosexuals by toppling walls on them (see Sections 1.a. and 1.c.); this is not known to have occurred during the year.

## Women

As lawlessness and interfactional fighting continued in some areas, violence against women occurred frequently, including beatings, rapes, forced marriages, disappearances, kidnappings, and killings. Such incidents generally went unreported, and most information was anecdotal. It was difficult to document rapes, in particular, in view of the social stigma that surrounds rape. Although the stability brought to much of the country by Taliban rule generally may have reduced violence against women, particularly rapes and kidnappings, Taliban members threatened or beat women to enforce the Taliban's dress code for women, and the Taliban imposed wide-ranging and even life-threatening restrictions on women's mobility and their ability to obtain gainful employment.

There were unconfirmed reports that the Taliban, or foreign "volunteers" fighting alongside the Taliban, abducted women during the military offensive on Taloqan and elsewhere in 2000. There also were unconfirmed reports that Taliban soldiers or foreign volunteers abducted women in the offensive in the Shomali plains in 1999 and that they raped and abducted women from Hazara neighborhoods in Mazar-i-Sharif in August 1998. The whereabouts of some of these women was unknown at year's end.

The enforced seclusion of women within the home greatly limited the information available on domestic violence and marital rape. In a climate of secrecy and impunity, it was likely that domestic violence against women remained a serious problem.

Women accused of adultery also were subjected to violence. Adultery was punishable by death through stoning. In 2000 at least one accused adulteress was sentenced to 100 lashes; a female accomplice was sentenced to 30 lashes. Overall, the situation of women and girls remained mostly unchanged under Taliban rule, as the Taliban generally continued to apply its ultra-conservative interpretation of Islamic law. Following the Taliban's fall from power and the signing of the Bonn Agreement and easing of restrictions on women, some Afghan women made tentative steps towards resumption of public life. However, lack of education and unavailability of jobs remained significant problems for many women seeking greater opportunity despite the removal of the Taliban.

Discrimination against women in areas under Taliban control was particularly harsh. The Taliban initially excluded women from all employment outside the home, apart from the traditional work of women in agriculture; women were forbidden to leave the home except in the company of a male relative. In urban areas, and particularly after the Taliban took Kabul in 1996, the Taliban forced almost all female professionals and clerical workers, including teachers, doctors, nurses, bank tellers, and aid workers, to quit their jobs. In a few cases, the Taliban permitted women to work in health care occupations under restricted circumstances. In July 2000, the Taliban issued a decree banning women's employment (except in the health care sector) by U.N. agencies and NGO's. Implementation remained erratic, but the U.N. and NGO's nonetheless required their female staff to remain at home to avoid open confrontation with the Taliban. The prohibition on women working outside of the home was especially difficult for the large numbers of widows left by 20 years of civil war; there were an estimated 30,000 widows in Kabul alone. Many women reportedly were reduced to selling all of their possessions and to begging to feed their families. On August 6, 2000, the Taliban issued an order closing down the 25 widows' bakeries operated by the WFP, which provided food to the neediest citizens, including many war widows and other female-headed households. The Taliban reversed its decision the next day, apparently accepting the WFP's explanation that female staff of the bakeries were not direct hire WFP employees and therefore not subject to the July 6 order.

Girls formally were prohibited from attending school, apart from instruction provided in mosques, which was mainly religious in content. Some girls were educated in formal, community-based or home schools operated in country by international NGO's; however, their activities were restricted severely during the year. Some

home schools also existed, but were forced to operate clandestinely. Students, teachers, and their families were subject to punishment if discovered. By year's end, some girls were returning to schools; however, the lack of teachers and materials remained deterrents to girls' education.

Most citizens lack any access to adequate medical facilities, and the provision of health care under Taliban rule remained poor. Such conditions particularly affected women. Life expectancy was estimated at 45.1 years for women and 46.6 years for men. In most regions, there was less than 1 physician per 10,000 persons. Health services reached only 29 percent of the population and only 17 percent of the rural population. Clean water reached only about 12 percent of the population. Health care for both men and women was hampered by the Taliban's ban on images of humans, which caused the destruction of public education posters and made the provision and dissemination of health information in a society with high levels of illiteracy more difficult. Tuberculosis rates for women and maternal mortality rates were extremely high.

Taliban actions significantly reduced women's access to health care. In practice women were excluded from treatment by male physicians in most hospitals. These rules made obtaining treatment extremely difficult for most women, and especially for widows in Kabul, many of whom have lost all male family members, who would be needed to escort them to any visit to a male doctor. In addition, even when a woman was permitted to be treated by a male doctor, the doctor was prohibited from examining her except if she were fully clothed in Taliban-approved garb, as well as from touching her, thus limiting the possibility of meaningful diagnosis and treatment. Participants in a 1998 survey of 160 Afghan women reported little or no access to health care in Kabul. Most of the participants also reported a decline in their mental health. There were credible reports that the restrictions on women's health care were not applied in practice and that there were some improvements in access to health care for women in 1999 and 2000. By the end of 1999, all Kabul hospitals apart from the military hospital reportedly treated women. Rabia Balkhi Women's Hospital in Kabul provided a full range of health services to women, although there was only one maternity hospital in the country. However, the trend of improved access to health care appeared to slow during the year.

The Taliban decreed what women could wear in public. Women in public spaces were required to wear a burqa, a loose, head-to-toe garment that has a small cloth screen for vision. While in many, particularly rural, areas of the country, the burqa was the customary women's outer garment, the requirement for all women to wear the burqa represented a significant change in practice for many women, particularly in urban areas. According to a decree of the religious police in 1997, women found outside the home who were not covered properly would be punished severely, along with their family elders. In Kabul and elsewhere women found in public who were not wearing the burqa, or whose burqas did not cover their ankles, were beaten by Taliban militiamen. Some women could not afford the cost of a burqa, and thus had to remain at home or risk beatings if they left their houses uncovered.

During 1999 there were reports of differences in the enforcement of the requirement for women to wear the burqa. Enforcement reportedly was relatively lax in rural and non-Pashtun areas, and there were reports that some women in Herat and in rural areas cover their heads with large scarves that leave the face uncovered without reprisal. However, there were credible reports that the Taliban increased enforcement of the dress code during the year. The Taliban's dress code for women apparently was not enforced strictly upon the nomad population of several hundred thousand or upon the few female foreigners, who nonetheless had to cover their hair, arms, and legs. Women in their homes could not be visible from the street; the Taliban required that homes with female occupants have their windows painted over.

Women were expected to leave their homes only while escorted by a male relative, further curtailing the appearance and movement of women in public even when wearing approved clothing. Women appearing in public without a male relative risked beatings by members of the Taliban. Some observers reported observing fewer and fewer women on the streets in Taliban-controlled areas. Under the Taliban, women were not permitted to drive, and taxi drivers reportedly were beaten for taking unescorted women as passengers. On June 21, religious police arrested four female Afghan WFP employees in a taxi outside the WFP office because they were not accompanied by a male relative. The women were detained for 2 days. In October 2000, taxi drivers were warned by the PVSF not to pick up unaccompanied female passengers at risk of having their driving privileges revoked. Women could ride only on buses designated as women's buses; reportedly there were not enough such buses to meet the demand, and the wait for women's buses could be long. In December 1998, the Taliban ordered that bus drivers who took female passengers must encase the bus in curtains and put up a curtain so that the female passengers cannot see or be seen by the driver. Bus drivers also were required to employ boys under the age of 15 to collect fares from female passengers; neither the drivers nor the fare collectors were to mingle with the passengers.

Amnesty International reported that the Taliban ordered the closure of women's public baths.

Women were also forbidden from entering mosques or other places of worship unless the mosque had separate sections for men and women. Most women prayed at home alone or with other family members.

Women also reportedly were prohibited from appearing on the streets for certain periods during the month of Ramadan.

The Taliban's restrictions regarding the social behavior of men and women were communicated by edicts and enforced mainly by the PVSV. The U.N. and numerous other sources noted that the edicts were enforced with varying degrees of rigor throughout the country. The restrictions were enforced most strictly in urban areas, where women had enjoyed wider access to educational and employment opportunities before the Taliban gained control. Even with the fall of the Taliban by year's end, Afghanistan's poverty and lack of employment opportunities remained deterrents for women seeking to return to work.

After her 1999 visit, the U.N. Special Rapporteur on Violence Against Women noted some improvements in the status of women, including the existence of home schools as well as limited primary educational institutions for girls run by the Religious Ministry in Kabul, increased access of women to health care, and the permission for widows to work. The Special Rapporteur also noted continuing violations of the physical security of women and the practice of lashings and public beatings, violations of the rights to education, health, employment, freedom of movement, and freedom of association, and of family rights, including the existence of polygyny and forced marriage. She also noted that minority women sometimes were subject to forced displacement and that there were some cases of trafficking in women and children (see Section 6.f.).

#### Children

Local administrative bodies and international assistance organizations undertook to ensure children's welfare to the extent possible; however, the situation of children was very poor. Approximately 45 percent of the population were made up of children age 14 or under. The infant mortality rate was 250 out of 1,000 births; Medecins Sans Frontieres reported in 2000 that 250,000 children per year die of malnutrition. One-quarter of children die before the age of 5. These figures most likely have increased due to another year of drought, intensified fighting, and massive displacement. The Taliban's restrictions on male-female medical treatment, and on the movement of women and girls in areas under its control, hampered the ability of U.N. agencies and NGO's to implement effective health and education programs and had a detrimental effect on children. Physicians for Human Rights reported that children at times were denied medical care when the authorities did not let male doctors visit children's wards, which in some instances are located within the women's ward of a hospital, or did not allow male doctors to treat children accompanied only by their mothers. An UNICEF study reported that the majority of children is highly traumatized and expect to die before reaching adulthood. According to the study, some 90 percent have nightmares and suffer from acute anxiety, while 70 percent have seen acts of violence, including the killing of parents or relatives.

According to a report of the Gender Advisor to the U.N. system in Afghanistan, the educational sector suffered from: Limited human and financial resources; the absence of a national educational policy and curriculum; the inability of authorities to rehabilitate destroyed facilities; and discriminatory policies banning the access of females to all levels of education. Female literacy is approximately 4 percent, compared with 30 percent for males. There were reports that the ban on women working outside the home hampered the education of boys, since a large percentage of the country's teachers were women prior the advent of Taliban rule.

The Taliban's implementation of educational policy was inconsistent and varied from region to region, as well as over time. The Taliban had eliminated most of the formal opportunities for girls' education that existed in areas it had taken over; however, some girls' schools still operated in rural areas and some towns. Some girls received an education in informal home schools, which were tolerated to varying degrees by the Taliban around the country. During 2000 there were reports that the number of children reached by these home schools was increasing as was the attendance of girls in various educational settings, including formal schools; however, during the year the authorities increasingly restricted the activities of home schools.

In September 1999, the U.N. Special Rapporteur on Violence Against Women noted the existence of home schools and also of limited primary educational institutions for girls run by the Religious Ministry in Kabul. The Taliban told the Special Rapporteur in 1999 that primary education was available to girls between the ages of 6 and 10 and that such education was provided in mosque schools under the Ministry of Religious Affairs. Approximately three-fourths of the curricula in the Ministry of Religious Affairs schools reportedly dealt with religious and moral subjects. Taliban-sponsored public schools, at both the elementary and secondary levels, provided education only to boys and also emphasized religious studies. However, schools run by NGO's and international donors mostly were open to both boys and girls.

UNESCO reported in 2000 that as few as 3 percent of Afghan girls were receiving primary education as opposed to up to 39 percent of boys. However, the Taliban's increasingly anti-education policies further reduced educational opportunities, even for males. Credible sources reported that during the year Taliban elements pressured a Turkish NGO, which had long been present in the country, to close its six secondary

schools for boys, most of which operated in Turkic speaking areas. The Taliban reportedly also barred Afghan students from traveling abroad, even to Islamic countries, to complete their education, although this restriction reportedly was not always enforced in practice, and a number of children, including many females related to the Taliban leadership, were able to obtain a foreign education. Prior to the Taliban takeover in 1996, more than 100,000 girls reportedly attended public school in Kabul in grades kindergarten through 12, according to a U.N. survey. During 1999 approximately 300,000 to 350,000 school-age children attended schools run or funded by various assistance agencies and NGO's. In 1999 the Swedish Committee for Afghanistan reported that it served 170,000 students in 567 schools; most of these were formal schools, although 39 were home schools. In a few areas, over 50 percent of students reportedly were girls. The SCA reported that 20 percent of the students in its formal schools, which mostly were located in rural areas, were girls. In March the SCA signed a protocol with the Taliban that was to benefit the SCA's primary schools. Many boys also were being educated in home schools because of administrative problems in the Taliban-run schools, including problems in the payment of teachers' salaries. In 1999 in areas that had been newly captured by the Taliban, some communities successfully petitioned Taliban representatives to reopen the schools. In Herat, which was captured by the Taliban in 1995, girls' schools remained closed, except in the refugee camps maintained by international NGO's. Nonetheless, approximately 5 percent of girls were enrolled in school in Kandahar and approximately 20 percent of girls were enrolled in Herat.

Reports that a relatively high proportion of the students in territory controlled by the Northern Alliance were girls were unconfirmed.

There were credible reports that both the Taliban and the Northern Alliance used child soldiers. Northern Alliance officials publicly have stated that their soldiers must be at least 18 years of age, but press sources reported that preteen soldiers were used in Northern Alliance forces. There also were reports that the Taliban conscripted boys, and looted and burned the homes of persons whose children avoided forced conscription.

In the past, there have been some cases of trafficking in children (see Section 6.f.).

The Taliban had banned certain recreational activities, such as flying kites and playing chess. In October 2000, the Taliban banned youths from playing soccer in Kabul on Fridays. Dolls and stuffed animals were prohibited by the Taliban as a result of its interpretation of religious injunctions against representations of living beings. The AIA authorities had lifted these restrictions by year's end.

#### Persons with Disabilities

No measures had been taken to protect the rights of persons with mental and physical disabilities, or to mandate accessibility for them. Victims of landmines continued to be a major focus of international humanitarian relief organizations, which devoted resources to providing prostheses, medical treatment, and rehabilitation therapy to amputees. There reportedly has been increased public acceptance of persons with disabilities because of their increasing prevalence due to landmines or other war-related injuries. There are reports that women, who needed prostheses or other aids to walk, virtually were homebound because they were unable to wear the burqa over the prosthesis or other aid. An estimated 3 to 4 percent of the population suffered from disabilities requiring at least some form of assistance. Although community-based health and rehabilitation committees provided services to approximately 100,000 persons, their activities were restricted to 60 out of 330 districts, and they were able to assist only a small number of those in need.

#### National/Racial/Ethnic Minorities

The Taliban was Pashtun-dominated and showed little tolerance for accommodation with ethnic minorities. There were reliable reports that the Taliban summarily executed approximately 300 Hazara men and boys after recapturing Yakawlang in early January (see Section 1.a.). There also were reports of harassment, extortion, and forced expulsion from their homes of ethnic Hazaras and Tajiks by Taliban soldiers. It is estimated that the Taliban may have killed thousands of members of the ethnic Hazara minority in 1998 (see Section 1.a.).

In the past, there were reliable reports that individuals were detained by both the Taliban and Northern Alliance because of their ethnic origins and suspected sympathy with opponents. Ethnic Hazara, who are overwhelmingly Shi'a, reportedly were targeted in ethnically motivated attacks, in particular by the overwhelmingly Sunni and ethnic Pashtun Taliban forces (see Section 2.c.).

#### Section 6 Worker Rights

##### a. The Right of Association

Little is known about labor laws and practices. Labor rights were not defined, and in the context of the breakdown of governmental authority there was no effective central authority to enforce them. Many of Kabul's industrial workers were unemployed due to the destruction or abandonment of the city's minuscule manufacturing base. An insignificant fraction of the work force has ever labored in an industrial setting. The only large employers in Kabul were the governmental structure of minimally functioning ministries and local and international NGO's.

Workers in government ministries reportedly have been fired because they received part of their education abroad or because of contacts with the previous regimes, although certain officials in previous administrations were employed under the Taliban. Others reportedly have been fired for violating Taliban regulations concerning beard length.

There were no reports of labor rallies or strikes.

#### b. The Right to Organize and Bargain Collectively

The country lacks a tradition of genuine labor-management bargaining. There were no known labor courts or other mechanisms for resolving labor disputes. Wages were determined by market forces, or, in the case of government workers, dictate.

There were no export processing zones.

#### c. Prohibition of Forced or Compulsory Labor

Little information was available regarding forced or compulsory labor, including forced and bonded labor by children. There have been reports that the Taliban forced prisoners to perform construction work at Kandahar prison and that the Taliban used forced labor after its takeover of the Shomali plains area in the summer of 1999. There were credible reports that Masood forced Taliban prisoners to work on road and airstrip construction projects under life-threatening conditions (such as requiring them to dig in mined areas).

There reportedly have been cases of trafficking in women and children (see Section 6.f.).

#### d. Status of Child Labor Practices and Minimum Age for Employment

There was no evidence that authorities in any part of the country enforced labor laws, if such laws indeed existed, relating to the employment of children. Children from the age of 6 often worked to help support their families by herding animals in rural areas and by collecting paper and firewood, shining shoes, begging, or collecting scrap metal among street debris in the cities. Some of these practices exposed children to the danger of landmines.

It is not known whether the law prohibited forced and bonded labor by children, or whether such practices occurred (see Section 6.c.).

#### e. Acceptable Conditions of Work

There was no available information regarding a statutory minimum wage or maximum workweek, or the enforcement of safe labor practices. Many workers apparently were allotted time off regularly for prayers and observance of religious holidays. Most persons worked in the informal sector.

#### f. Trafficking in Persons

There was no available information regarding legislation prohibiting trafficking in persons. The U.N. Special Rapporteur on Violence against Women reported in 1999 that there had been some cases of trafficking in women and children (see Section 5). There were reports that some Taliban soldiers (often reported to be foreigners) abducted girls and women from villages in the Shomali plains during fighting in August 1999. Women were taken in trucks from the area of fighting in the Shomali plains and elsewhere and reportedly trafficked to Pakistan and to the Arab Gulf states. There were unconfirmed reports that some Taliban soldiers abducted girls and women from villages in the Taloqan area during fighting from June through October 2000 (see Sections 1.b. and 5.).

\*The U.S. Embassy in Kabul was closed for security reasons from January 1989 until December 17, 2001.

Information on the human rights situation was therefore limited. The report is largely focused on the human rights practices of the Taliban, which controlled over 90 percent of the country for most of the year.